Previous references.
Lr 179-98-

1908-09
(Gm.)

File No. 22

Serial No. 42

Later references.

GENERAL AND REVENUE SECRETARIAT.

Serial No. 42

Part B. for February 09

SUBJECT.

Confirmation of messrs S.P. Rajagopalachar & D. Sreenivasa Iyengar as asst. Commrs 5th Class. Schedule A.

42. Do

The Compiler, Mysore Gazette
No G. 4710. Dt 13.2.09
Notifies the Confirmation of messrs S.P. Raja Gopalachar & D. Sreenivasa Iyengar as Asst. Commrs. 5th class Schedule A. with effect from 6/12/08.

G.R.S. 11] 1908.

GENERAL AND REVENUE SECRETARIAT.

(Gen Mis)

NOTES.

Gen. File No. 12-08

FILE HEADING.

Re Mysore Civil Service

From

No. Dated Received

Diary No. Enclos. Spare Copies Serial No.

BRIEF ABSTRACT OF LETTER.

NOTES AND ORDERS.

NOTES—First sheet

GPB—30,000—3-4-07.

G. R. S. 12]
General and Revenue Secretariat.

G.M. File No. 22 of 1908

2 2

Serial No.

Flag E

Submitted to the Secretary

I was appointed as Probationary Assistant Commissioner on 6-12-1906 (vide Notfn. G.3532 G.M. 30-06-99 dated 6-12-1906. I complete two years Service to-day

I attach herewith my Equitation Certificate & certificate as to my having passed the Revenue Higher Exam^n and five references to the Mysore Gazette as to my having passed the Canarese and the Registration Examination. I am exempted from the Civil & Criminal Exam^ns as I am a B.A

During the two years, I was doing duty as mentioned hereunder.

12½ months in the General & Revenue Secretariat.

4½ months in the Survey Dept. undergoing Survey training

6 months in the Comptroller's Office undergoing training

1 month in charge of Treasury at Hassan (Jan^y - Feb 08) & Kolar (Nov. 1908)

24 months

NOTE—Contn. sheet.

GPB—50,000—13.5.08

G.R.S. 13]

Routine Notes.

[To b ... nent record.]

Registration Examination

Passed in August 1908

Vide Mysore Gazette dt 27-8-08

p. 520

Notfn No 153-2 dt 26-8-08

Canarese Exam^n

July 1908

Vide ~~No~~ Mysore Gazette 30-7-08

p. 469.

Notfn. No. G. 5-97

G-M 22-08-7

dt 25/7/08

N. B.—Should routine notes be written on small slips, the notes must be copied, or slips pasted on this form.

GPB—45,000—19-5-08

G. R. S. 12]
General and Revenue Secretariat.

Gen. File No. 22 of 1908

Serial No.

A Rayappalachari
Prob.d Asst Comr.
Genl & Rev Secrt.
5/12/08

So far as Mr Rayappalachari's service in the Secretariat is concerned, it was excellent.

Please make demi-official refce to the heads of the other offices, and ask if Mr R.'s service under them was approved service for the purpose of the Civil Service Rules.

When the file is returned, the refce should be completely kept up, including the order which says that the date of confirmn is two years from date of notifn of apptt.

When A. has replied himself for the 5?

KSG B.T.V 7-12-08

B.T.V.

Please put up the D.O. to Surveyor, Supdt, & Comptr,

CHB 9/12

Draft D.O. is put up

8/12/08 VS.

Issue CHB 8/12/08

Issued No. G. 3604-5 of 9.12.08

NOTE—Contn. sheet.

GPB—50,000—13-5 08

4 6

G.R.S. 27]

GENERAL AND REVENUE SECRETARIAT.

(*Continuation Sheet draft form.*)

D.O. No. G. 3504-5 & 9. XII. 07

Dec '08

Dear Sir,

I am directed to enquire if the service of Mr. S.P. Rajagopalachari, B.A., B.L, Probationary Assistant Commissioner, ~~under you~~ in the ~~direction~~ † was approved service for the purpose of the Mysore Civil Service Rules

† 1) Comptroller's Office from 15-7-'07 to 15-1-'08
2) Survey Dept, from 15-2-'08 to 30-6-'08

Mysore Secretary

8/12

Under Secy to Govt, Genl & Rev depts.

To

1) J. S. Chakravarti Esq M.A, Mrs Comptroller,

2) D. Shama Rao Esq, Supt, - Mysore Rev Survey

C.R. 8/12/08

MGCPB—30,000—5-4-05.

Mrs 8/12

G. R. S. 12]
General and Revenue Secretariat.

Gen. File No. 22 of 1908

5

Serial No.

Draft Do. to the D.C. Hassan enquiring if Mr Rajagopalachari's service in the Hassan Dt was approved service, is put up.

G. VS
10/12/08

Irene
CSB
11/12/08

Issued No. Cr. 3547 dy 11-XII-08

P.T.O.

Sws
15-12-08

NOTE—Contn. sheet.

GPB—50,000—13-5 08

6

G.R.S. 26]

File No.

Serial No.

Diary No. of letter replied to

No. G-354

D.O.

8 11.

General and Revenue Secretariat

( )

, *the* 190 .

To

Dear Sir,

Date of issue 11. XII. 08

Signed by

I am directed to enquire if the service of Mr. S. P. Rajagopalachari, B.A., B.L., Prob. Asst Court, when in charge of the Dt Tr Hassan during portions of Jany & Feb 1908 was approved service for the purpose of the Mysore Civil Service Rules. I request the favour of a reply by return post

Yours sincerely

[illegible]

Dy Secy

Genl & Rev Dept

VS

ver.

To P. R. W. Wetherell Esq

Dy Comr, Hassan

SUBJECT.

10/12/08

Acknowledged 11/12

11/12

79

CW
D. O. No. 5
BVJ
JM
Diary No.
2432

Survey Supttt. Office
Bangalore 16th December 08

Dear Mr. Balasundram Iyer,

Your D. O. letter No. G 3504-5 dy
the 9th instant

The Service rendered by Mr.
S. P. Rajagopala Chari
B. A. B. L. Probationary
Assistant Commissioner
in the Survey Depart
ment, from 15th Febru
ary 1908 to 30th June 1908
is

9 10

D. No. 2434
G

Comptroller's Office,

10th December 1908.

Dear Mr. Balasundaram Iyer,

Your D.O. No. G.3504-5 of the 9th instant.

Mr. Rajagopalachari, Probationary Assistant Commissioner discharged the duties assigned to him satisfactorily for the period he was under training in this office and it may be treated as approved service for his being confirmed in his appointment.

Yours sincerely,

J.S. Chakravarti

C.S. Balasundaram Iyer, Esq., B.A.,
Under Secretary.

Hassan
14th Decr 1908

D 2526

My dear Sir,

In reply to your D.O letter No G. 3547 dated 11th inst I write to say that the service of Mr S.P. Rajagopalachary B.A, B.L Profr Assist Commr when in charge of the District Treasury at Hassan during portions of January & February 1908 was approved service for the purpose of the Mysore Civil Service Rules.

Yours Sincerely
M.V. Telherall

C.S. Balasundaram Iyr Esq B.A.
Under Secy to the
Govt of Mysore

Serial No.

D 25.26

The Survey Supdt., the Compt.r & the Dy. Com.r of Hassan have all reported that the Service of Mr S.P. Rajagopalachari under each of them was approved Service for the purpose of the Civil Service Rules.

S (2) G.O. No 4651/3175 of 28-6-95 directs that the confirmation of Asst. Com.rs (if qualified) shall have effect from the end of a year calculated from the date of appointment

U A later G.O. No 2951-9/R 958 of 9.10.00 which refers to Asst. Com.rs of the Old schedule B only extends the same rule to the case of those who might qualify themselves for confirmation by passing the prescribed tests at the 2nd or 3rd opportunity (i.e. in the 2nd or 3rd year). But formerly the period of probation was one year, and the 2nd & 3rd were 'grace' years (vide G.O No. Comp 407-22 of 1-11-91).

V Now according to the revised rules of June 1908 under which Mr S.P.R was appointed, the period of probation is two years; and as Mr S.P.R was appointed

T Asst. Com.r in notf.n of 6.12.06, he will have to be confirmed with effect from the 6th of this month

(3) Mr Rajagopalachari reported himself for duty on 17.12.06 (vide G 3835/G M 154-06-3 G 20.12.06).

O Held with a view of G.O No 1342 of 5-8-08

R Ex 1 of 1-2

NOTE—Contn. sheet.

GPB—50,000—13-5 08

G.R.S. 12]
General and Revenue Secretariat.

File No. 22 of 1908

2526

Serial No.

re examinations to be passed:-

That B.L's are exempted from passing the Civil & Criminal tests is seen from para 3 of G.O. Comp no 423-45 9-11-91 -

VS VS Under Secy 17.12

Mr S. P. Rajagopalachari has passed all the prescribed tests and has rendered approved service during the period of probation He may be confirmed as an asstt Commr of the 5th class Schedule A under rule VIII of the Civil Service Rules of 28th June 06 which applys to his case

Secy) 17/12/08

Circulated to Council R.O. 18/12/08 18/12/08

May be confirmed. The asstt takes effect from date of joining. Please consult Board if there is any doubt.

I suppose

New pay from 17/12/08

NOTE—Contn. sheet.

GPB—50,000—13-5-08

G. R. S. 12]
General and Revenue Secretariat.

G. M File No. 22 of 1908

Serial No.

Jt Sl Branch 4/1908

H. mis 440-08

Subs- not available in the Records - Please the assistance of the Records - Sluggett - 24/1/09

Please put up the file connected with G. of 28/6/99

mch
26/12/8

If there are any cases in which officers who had put in less than one year's service from date of joining were confirmed with effect from ~~date~~ "the end of a year calculated from the date of appointment", one or two such cases may also be put up.

mch

G. M. 25/12

BCV
Records 28/12
Br V 29/12
Records 31/12.

The papers required are not available. They have been traced to Gen. file 69 of 93, which has been submitted to the H. Secy with the Secretariat in another connection please see the requisition slip attached.

The files relating to the confirmation of the Prob. Asstt Engrs appointed in 1897 & 1901 also are not available in the Records. please see the note of the Gen. Records marked by Hay W. Bird it is seen from the

NOTE—Contn. sheet.

GPB—50,000—13-5 08

Serial No.

History of Service of Gazetted Officers that in several cases the full term of probation calculated from the date of joining appt. has not been served before confirmation & that in the case of Mr. K. Matthan the deficiency portion was one full month.

15/1/09 VS. I may also add that the rule of 28 June 1899 was probably adopted to avoid certain difficulties & hardship to officers which would have resulted from counting the periods of probation from the actual date of joining of each officer. In the cases of officers recruited by competitive exams it is only fair that the relative rank in service should follow their rank in the exams when they pass the departmental tests at the same time, irrespective of the fact that one officer joined a few days before another. If for instance the periods of probation had been reckoned from the date of joining, Mr Matthan would have been junior to Mr Aravamudeya & Mr B. Ramaswamayya & a loss of rank & seniority that would have been out of all proportion to the delay of a few days in joining his first appointment

NOTE—Contn. sheet.

GPB—50,000—18-5-08

Serial No.

Similarly Mr D'Souza would have been junior to Mr B. Venkoba Rowp in the present case Mr S. P. Rajagopalachar would become junior to Mr D. Srinivasiengar In order to prevent such anomalies ~~the rule~~ a uniform rule was laid down in 1899 & ~~There is no~~ has been followed till now -

Chg 16/11/09

Jl Nos 440 08/9

Br II
Subs
mk
16/11

The point referred for opinion is whether in the case of Probationary Asst Commrs appointed on the results of a Competitive Examn, the period of probation for earning Confirmation should be calculated from the date on which officers join ~~their~~ his appointments or from the date on which ~~their~~ his appointments are notified

5

The G.O. of 1899 directs that "Confirmation shall have effect from the end of a year calculated from the date of appointment".

It is no doubt fair that the relative rank of officers appointed on

GPB—50.000—18-5-08

Serial No.

I agree
JR
23/1

What is meant by indefinite? I suppose no one would make any great delay in joining. JR 23/1

A very wide limit say a month from the date of receipt of order. JR 23/1

I think period for confirmation should count from the date of actual joining. There is no harm if an officer who stands senior in the list is confirmed a few days later.
JR
28/1

The results of a competitive Exam^n. Sh^d be maintained when they are started in Service but it can not also be denied that it is unfair to the Service that an Officer appointed as a Proby Asst Comm^r. Sh^d be allowed indefinite time for joining his appointment and that he Sh^d be confirmed one year from the date of appointment irrespective of the ~~date on which he joins the post~~ time he takes for joining his post. The time for joining the appointment must be limited and can not certainly be left to the Officers convenience or choice If an officer is allowed to take his own time to join his post, the period of his probation would be reduced under the operation of the order of 1899 and he would be unduly benefited by earning his Confirmation and increment earlier than he should in the Normal Circumstances

The time for joining the appointment must therefore be fixed. A person appointed to any Office for the first time is allowed joining time under art 107 M.S.R and that time

NOTE—Contn. sheet.

GPB—50,000—18-5-08

Serial No.

time Calculated from the date on which the order of appointment reaches an Officer, under articles 108 + 109 M.S.R, Shd be taken as the maximum period an Officer can take for joining his post. If he does not exceed that time he may be allowed in Service, to start with, the position taken by him in the Examn. even tho' one below him in the Examn. joins Service earlier. Such joining time may also be included in the period taken for calculating the term of probation for earning Confirmation. Of course no pay will be given for such joining time. If an Officer exceeds such joining time, he shd be amenable to the ordinary rules and his Service Shd. begin only from the date of his joining his post and the period of his probation for Confirmation Shd be calculated from the same date. He Shd. also submit to be superseded by one below him in the Examn. if the latter joins Service earlier

Fin. Sec.

17-1-09

All this elaborate & complicated procedure does not appear to be necessary. Let the officer rank in the order in which they come out in the Exn. & let the period for confirmation count from the date of actual joining. No great anomalies will result from this & the procedure will be perfectly clear and rational. For a mere accident of delay in joining an officer should not be a junior all thro' Service.

Fin. Sec. 440/08/9 28/1/09

for 29/1

Fin. Sec. 440/08/9

Note—Contn sheet.

GPB—50 000—17-3-07

Secy)

CSB 29/1/09

Serial No.

It seems to me, subject to correction, that it is primarily an administrative, not a financial, question. What constitutes the period of probation in the case of a particular class of officers, and when it may be deemed to have terminated in any given case.

As a matter of fact, the particular point raised in this case has already been definitely decided by Government. In an order passed so far back as the 28th June 1899, the Government have ruled that "in the case of a batch of Probr Asstt Commrs appointed on one and the same date, their confirmation (if qualified) shall have effect from the end of a year calculated from the date of appointment."

[The period of probation under the earlier Civil Service Rules was one year; now it is two years for some and three years for others; but the basis of calculation is the same in all cases.]. Again, in order to ensure uniformity in all cases, irrespective of whether a

H S

GPB—50.000—18-5-08

Serial No.

H U

Probationer qualifies himself at the first, second or third opportunity (i.e. within the first, second or third year, another order passed on the 9th Oct. 1900 ~~has~~ lays down that confirmation in all such cases shall be with effect from one, two or three years, as the case may be, from the date of appointment.

A perusal of the Council Resolution* on which the order last mentioned is based shows that the rule of calculating the probationary period from the date of appointment for purposes of confirmation as well as of promotion ~~has~~ the case of Asst. Commrs. has been consistently applied in the case of all admissions to the Civil Service by Competition ~~to the~~ commencing from 1892, — a fact which if need be can also be verified by reference to the History of Service of the officers concerned.

It is a sound principle that the relative rank of persons selected by competition on one and the same date should be governed by the order of merit in which they have been selected, and should not be

*Copy put up with connected papers.
H A

GPB—50.000—18-5-08

Serial No.

subsequently disturbed by the mere fact of some men joining their new appointments a few days earlier, and some a few days later than the others. In the words of the Financial Secretary, "let the officers rank in the order in which they come out in the lists" and "for a mere accident of delay in joining, an officer should not be a junior all through the service." The rule embodied in the order I have quoted ~~[illegible]~~ is based on the very sound principle, and is at least as reasonable as the alternative proposal newly made to confirm people with reference to the date of their joining their appointments but to regulate their relative seniority by the order in which their names appear in the original order of appointment.

To the reasons already urged, I would add that any modifications of the rule, should a modification be deemed necessary, ought not, in my humble opinion, to be applied retrospectively to officers who have already

NOTE—Contn. sheet.

GPB—50,000—13-5-08

Serial No.

joined the service, but only to those who may enter after the passing of the rule

30.1.09

This subject is in the agenda for the next Council meeting. W

I am quite willing to reconsider my opinion in the light of the discussions which have since taken place. The confirmation in the case of Mr Rajagopalachary may be antedated with effect from two years after date of appointment

WPR
30/1/09

30/1/09

In my humble opinion it is unnecessary to go behind the orders contd in G/P 8764 & 28th June 1906. Under those orders there is only an admission, but neither appointment nor joining the Imperial Civil Service. Mr Rajagopalachary was admitted on 6th Dec 1906 and he has completed his probation within the probationary period of two years.

HE

GPB—50,000—13-5 08

G. R. S. 12]
General and Revenue Secretariat.

File No. 22 of 190

Serial No.

Re so therefore entitled to be appointed a P.O. with effect from 1st Dec 08

1st 14 Feb 09

I.T.O

NOTE—Contn. sheet.

GPB—50,000—13-5 08

G.R.S. 15]

Facing sheet for Cases included in the schedule appended to Notification No. 36 of the 8th. Aug. 1902.

GENERAL AND REVENUE SECRETARIAT.

Subject—

Confirmation of Mr. S. P. Rajagopalachari as Assistant Court, 5th class Scheduled.

	Date	Initial of Officer himself or responsible Deputy.
Received in the Secretariat		
Submitted to Secretary		
Submitted by Secretary to Dewan or Councillor in charge		
Returned to Secretary		
Circulated by Secretary for Council ...	18-12-06	
Forwarded by Councillor		
Forwarded by Councillor		
Received in Secretariat		
Considered in Council		
Submitted to the Dewan		
Submitted to His Highness		
Orders passed by His Highness		
Final Orders issued		
Circulated to Councillors		
Passed on by the Councillor		
Returned to Secretary by Councillor...		

GPB—1,000—26-2-07.

C. 148
19.12.08

25

GENERAL AND REVENUE SECRETARIAT.

COUNCIL MATTER.

SUBJECT

Confirmation of Mr.S.P.Rajagopalachari, Probationary Asstt: Commr: as Assistant Commissioner, 5th Class, Schedule A.

Circulated to Councillors.

By Order.

18th December 1908.

Secretary.

C 861
30/1/09.

T. ANANDA ROW, Esq., B.A.,
First Councillor.

K. P. PUTTANNA CHETTY, Esq.,
Second Councillor.

Serial No.	
	For further notes & orders vide fm 22-08-34.
	22
	8/2/09
42.	To the Compiler in-C. No. 54710 of 13.2.09 Notifies the confirmation of Messrs S.P. Rajagopalachari & D. Srinivasaiyan as Asst Comrs 5th class Schedule A. with effect fm 6.12.08.
	Published in Mysore Gazette dated 18/2/09

Rec'd 19-2-09

NOTE—Contn. sheet.

Government of His Highness the Maharaja of Mysore.

General & Revenue Secretariat

No. 5471C
Gn 22-08-42

Dated Bangalore, 13th February 1909

N o t i f i c a t i o n.

Messrs S. P. Rajagopalachari, B.A.,B.L., and D. Sreenivasiengar B.A., Probationary Assistant Commissioners, are confirmed as Assistant Commissioners of the fifth Class Schedule A, with effect from the 6th December 1908.

By order,

(Sgd) C.S. Balakrishnaiyar

Secretary to Government.

To

The Compiler, Mysore Gazette for publication

M.L.-:-.

Vide Mysore Gazette dt 18-2-09

R.C.B
19-2-09